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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/533,471 | 04/29/2005 | Toshio Yamagiwa | SIP-138-A | 9423 |
| 21828 | 7590 | 03/19/2008 | EXAMINER | |
| CARRIER BLACKMAN AND ASSOCIATES | | | LAI, ANNE VIET NGA | |
| 24101 NOVI ROAD | | | | |
| SUITE 100 | | | ART UNIT | PAPER NUMBER |
| NOVI, MI 48375 | | | 2612 | |
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| | | | 03/19/2008 | ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 10/533,471 | Applicant(s) YAMAGIWA, TOSHIO | |
| | Examiner ANNE V. LAI | Art Unit 2612 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/08, 8, 9, 10/07, 4/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 20-21 are rejected under 35 U.S.C. 102(b) as being anticipated by **Rai** [US 6,222,463].

In claim 20, **Rai** discloses a management system of an IC tag equipped vehicle, comprising:

a host server (control center) and a terminal (portable interrogator) communicating with each other via a network; and

a database connected to the host server and managing tag information on each vehicle by a vehicle ID,

the terminal comprising devices that operate as claimed (see Summary of the Invention in columns 1 and 2).

In claim 22, **Rai** discloses the updating information as claimed (col. 1-2).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, 9, 11-12, 14-15, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Rai** in view of **Senba** [US 7,088,249].

In claims 1 and 4-6, **Rai** discloses a registered vehicle electronic identification tag being disposed in the license plate or in the vehicle dashboard, portion of the vehicle that is not covered by an obstacle is obvious (col. 4, l. 11-30). **Rai** does not specific regarding the tag molding material, **Senba** teaches an IC tag molded in a resin material to protect the tag, the material does not interfere with the transmissivity of electromagnetic waves emitted from the tag (col. 16, l. 18-44). It is seen the tag of **Rai** would be molded in a protecting material and the material would obviously be selected to let penetrate electromagnetic waves communication signal.

In claims 2-3 and 19, **Rai** discloses the IC tag can be resides in the license plate, in the trunk or the vehicle dashboard (col. 4, l. 29-30). It would have been obvious the tag affixed at a meter case or panel (odometer, speedometer) or in a rear fender of a vehicle could be a design choice.

In claims 9, 11-12, 14-15, **Rai** discloses the electronic tag having records regarding vehicle identification VIN, maintenance, insurance, inspection and owner information. It would have been obvious the identification information on component parts could be retrieved if VIN is known.

5. Claims 7-8, 10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Rai** combined of claim 1 in view of **Teraura** [US 6,873,259].

In claims 7-8, **Rai** does not disclose the tag includes recycling and waste management manifest information. **Teraura** teaches attaching ID tags to various

electronic articles to track their life cycle from manufacturing to recycling and disposal (figs. 16-17, col. 1, l. 38- col. 11, 21). It would have been obvious the electronic tag of Rai could include records of recycling and waste management to track the life cycle of the vehicle as design choice.

In claim 10, **Teraura** teaches the tag includes a replacement record of consumer parts (col. 11, l. 9).

In claim 13, **Teraura** teaches the tag includes a record of payment (col. 11, l. 1-6). It would have been obvious the tag of Rai could include a record of payment including tax payment as design choice.

6. Claims 16-18 rejected under 35 U.S.C. 103(a) as being unpatentable over **Rai** combined of claim 1 in view of **Nakayama** [US 6,791,456] or **Campbell** [US 6,546,088].

In claims 16-18, **Rai** does not disclose the electronic tag is mounted on a vehicle that includes a saddle ride seat. **Nakayama** and **Campbell** teaches an electronic identification mounted on a vehicle having a saddle ride seat is well known (Nakayama, tag 3 on vehicle 1, fig. 1; Campbell, ID tags for bicycles, col. 2, l. 49-59). Although particular position of the tag on the vehicle is not specified, it would have been obvious the tag can be affixed to any convenient place at will for its very small in size.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Eisenmann [US 5,459,304].

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANNE V. LAI whose telephone number is (571)272-

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2974. The examiner can normally be reached on 9:00 am to 6:30 pm, Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass Jeffery can be reached on 571-272-2981 or, acting supervisor Goins Davetta at 571-272-2957. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AVL

/Davetta W. Goins/
Acting SPE of Art Unit 2612